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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

CHAD BURTON HILL,

Plaintiff,

-vs-

DAVID WENDT, PAUL BURT, TED
CALDWELL, FLYING J RANCH, LLP,
BEAVERHEAD COUNTY, and DOES
1-10,

Defendants.

CV-23-34-DWM

DEFENDANTS PAUL BURT, TED
CALDWELL, AND FLYING J
RANCH'S LIABILITY EXPERT
DISCLOSURE

Defendants Paul Burt, Ted Caldwell, and Flying J Ranch ("Flying J Defendants") provide this liability expert witness disclosure in accordance with the Court's Scheduling Order. At the time, Flying J Defendants disclose the following:

RETAINED EXPERTS:

1. Philip Matteson
Matteson Investigations LLC
PO Box 643
Cascade, MT 59421

Mr. Matteson has worked as a County Sheriff's Detective, State DOJ/DCI Agent and as the Central Montana Drug Task Force Commander on hundreds of drug investigations. Mr. Matteson's qualifications and background are further set forth inside his CV, which is attached as **Exhibit A**.

Mr. Matteson's opinions, the bases and reasons for them, along with the facts or data considered by him, are outlined in his report, which is attached as **Exhibit B**. Flying J Defendants understand Matteson has not testified within the past 4 years. His recent expert testimony is reflected in his CV. His compensation to be paid for the study and testimony in the case is reflected in his fee schedule, attached as **Exhibit C**.

Mr. Matteson reserves the opportunity to new information or opinions as they arise in this matter.

NON-RETAINED EXPERTS:

2. Sheriff David Wendt is a Defendant in this matter and is understood to be a hybrid expert with knowledge regarding law enforcement, community policing, and interactions with neighbors involved in disputes. Defendant Wendt is believed

to have formed opinions throughout the developments of the facts in this case and involvement with the parties and witnesses listed in the law enforcement materials and in discovery. Flying J Defendants anticipate calling Wendt to testify in the defense of the claims asserted against them and to elicit testimony regarding interactions between the parties and his professional opinions from a law enforcement professional's point of view.

3. Law enforcement professionals identified in Defendant Wendt's discovery responses and in the law enforcement materials produced by Defendant Wendt and Beaverhead County. Contact information for such individuals is believed to be publicly available through the Beaverhead Sheriff's Department and/or the Dillon Police Department. The other law enforcement professionals are believed to have formed opinions throughout the developments of the facts in this case and involvement with the parties and witnesses listed in the law enforcement materials and in discovery. Flying J Defendants anticipate possibly calling such professionals to testify in the defense of the claims asserted against them and to elicit testimony regarding interactions between the parties and their professional opinions from a law enforcement professional's point of view.

4. Rebuttal experts, if necessary, and pursuant to the Scheduling Order and the Federal Rules of Civil Procedure.

5. All expert witnesses designated by Defendant David Wendt.

6. All expert witnesses designated by Plaintiff for which there is no objection.

7. Flying J Defendants reserve the right to supplement this disclosure during the course of discovery based on new information which affects the opinions or the bases for the opinions of any expert listed below.

DATED this 3rd day of May, 2024.

/s/ Peter B. Ivins
Nicholas J. Pagnotta
Peter B. Ivins
*Attorneys for Defendants Paul Burt,
Ted Caldwell, and Flying J Ranch, LLP*

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of May, 2024, a copy of the foregoing was served upon the following by CM/ECF, U.S. Mail, Express Mail, E-Mail, Hand-Delivery, Fax, or Federal Express:

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

CHAD BURTON HILL,

Plaintiff,

v.

PAUL BURT, TED CALDWELL,
FLYING J RANCH, LLP,
BEAVERHEAD COUNTY SHERIFF
DAVID WENDT, and DOES 1-10,

Defendants.

CV-23-34-BU-DWM

DEFENDANT WENDT'S
DISCLOSURE OF LIABILITY
EXPERT

Defendant Sherriff David Wendt ("Defendant Wendt"), by and through undersigned counsel, provides this disclosure of liability expert witnesses pursuant to Federal Rule of Civil Procedure 26(a)(2) and the parties' Joint Discovery Plan, filed October 26, 2023. Defendant Wendt will supplement this disclosure as

appropriate after his experts have reviewed any additional documents or transcripts in this matter. Defendant Wendt may call all or some of the following witnesses to testify as experts in this matter.

1. Retained Experts

**Mr. Philip Matteson
Matteson Investigations, LLC
P. O. Box 643
Cascade, MT 59421
(406) 403-1753**

A copy of Mr. Matteson's expert report, signed by Mr. Matteson, is attached to this disclosure as Exhibit A. Mr. Matteson's report includes a complete statement of his opinions, the basis and reasons for those opinions, and the facts and data considered by Mr. Matteson in forming his opinions. Mr. Matteson's report identifies the materials he was provided, and also identifies other materials Mr. Matteson reviewed which may be used to summarize or support his opinions. The report is accompanied by a copy of his curriculum vitae, attached hereto as Exhibit B, which further sets forth his experience and qualifications, and includes a list of trial or deposition testimony Mr. Matteson has provided during the previous 8 years. Also attached as Exhibit C is Mr. Matteson's statement of compensation by which he is paid for his study and testimony in this case.

It is expected that Mr. Matteson will offer opinions in rebuttal to the opinions of any expert witnesses disclosed by Plaintiff. Defendant Wendt will also

supplement this disclosure of Mr. Matteson's opinions as appropriate, as allowed by Federal Rule of Civil Procedure 25(b)(2)(E).

2. Experts disclosed by Plaintiff of Co-Defendant

Defendant Wendt reserves the right to call at trial any expert witnesses identified by Plaintiff or by other Defendants in this matter.


3. Supplementation and Rebuttal

Defendant Wendt reserves the right to supplement this disclosure as discovery continues, and to disclose appropriate rebuttal experts.

DATED this 3rd day of May, 2024.

Attorneys for Defendant Sheriff David Wendt:
GARLINGTON, LOHN & ROBINSON, PLLP

By



Jason M. Collins

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2024, a copy of the foregoing document was served on the following persons by the following means:

_____	Hand Delivery
<u>1-4</u>	Mail
_____	Overnight Delivery Service
_____	Fax (include fax number in address)
<u>1-4</u>	E-Mail (include email in address)

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